## For the Northern District of California

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY SNODGRASS,	) No. C 08-3322 MMC (PR)
Petitioner,	ORDER TO SHOW CAUSE
vs.	
BEN CURRY,	
Respondent.	) _ )

On July 9, 2008, petitioner, a California prisoner currently incarcerated at the California Men's Colony in San Luis Obispo, California, and proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the denial of parole by the California Board of Parole Hearings ("Board"). The Court, by order filed January 20, 2010, granted respondent's motion to dismiss the petition as a "mixed" petition that contains both exhausted and unexhausted claims. (Docket No. 15 at 9-10.) By that same order, the Court afforded petitioner the opportunity either to amend the mixed petition by striking his unexhausted claims and proceeding only with his exhausted claims, or request a stay of the petition while he exhausts his unexhausted claims in state court. (Id. at 10.)

Petitioner has filed an amended petition from which he has deleted his unexhausted

claims. (Docket No. 16.) Accordingly, respondent is HEREBY ORDERED to show cause why the petition should not be granted.

Respondent shall file with the Court and serve on petitioner, within **ninety** (90) days of the date this order is filed, an answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases. Respondent shall file with the answer and serve on petitioner a copy of all portions of the state trial record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

If petitioner wishes to respond to the answer, he shall do so by filing a traverse with the Court and serving it on respondent within **thirty** (30) days of the date the answer is filed.

IT IS SO ORDERED.

DATED: October 18, 2010